IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.754 OF 2007

Shri.Sumit Sunder Vithal ...Applicant.

Versus

The State of Maharashtra ...Respondent.

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Mr.Umesh Mankapure, Adv. for the Applicant.
Mrs.A.S.Pai, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 10th April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking bail in C.R.No.I-98 of 2006 of Vittalwadi Police Station, Ulhasnagar. The said case is under Section 364A, 385 of IPC.

3. It is the prosecution case that one Niranjan Das and the complainant were proceeding to Antop Hill on motorcycle. The complainant was driving the motorcycle. At that time the motorcycle skidded, due to this Niranjan sustained

injuries. The wife of Niranjan and the friends of Niranjan including the applicant said that the complainant is responsible for the injuries and made him pay Rs.21,000/- for medical expenses. It is further the case of the complainant that on 1.9.2006 the applicant along with others came to the house at the complainant stating that Niranjan and his wife had called him and they took him to the house of Niranjan. At that time, Niranjan and his wife Maya were present. It is further case of the complainant that in the house of Niranjan, he was assaulted by fist blows and Rs.2 lacs was demanded from him. The complainant told them that he is unable to pay the said amount whereupon they took document from him stating that the complainant would give an amount of Rs.50,000/- towards expenses to Niranjan Das. The said document has already been seized by the Police.

4. The investigation in the present case is over and the charge-sheet has been filed. The document in question has already been seized from the coaccused. Besides the present case, the applicant has a clean record. Looking to all these facts, I am inclined to grant bail to the

applicant.

5. The applicant Sumit Sunder Vithal to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount. The applicant shall report to Vittalwadi Police Station, Ulhasnagar, once in a week, till conclusion of the trial.

6. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)